

REMARKS

Upon entry of the instant Response and Amendment, Claims 2, 3, 5, 7, 12 and 13 will remain pending in this application.

In the Office Action mailed September 1, 2006, Claims 2, 3, 5, 7-9, 12 and 13 are rejected under 35 U.S.C. §102 (a, b and e), as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,849,827 issued to Bödiger et al. Claims 2, 3, 5, 7-9, 12 and 13 are rejected under 35 U.S.C. §102(b), as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over DE 19530200 in the name of to Bödiger et al.

Rejections under 35 U.S.C. §§102(a, b and e)/103(a) as anticipated or rendered unpatentable by Bödiger et al. '827

Claims 2, 3, 5, 7-9, 12 and 13 stand rejected under 35 U.S.C. §102(a, b and e), as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,849,827 issued to Bödiger et al. Claims 8 and 9 have been cancelled, thus obviating any grounds for rejection based upon those claims. Applicants respectfully disagree with the Examiner's contention regarding Bödiger et al.

All the compositions disclosed by Bödiger et al. contain flame retardants (col. 1, lines 57 - 67). The instantly claimed invention does not allow the presence of a flame retardant. Thus, the invention according to the presently amended main claim is neither anticipated nor obvious by Bödiger et al.

Therefore, Applicants respectfully request the Examiner reconsider and reverse his rejection of Claims 2, 3, 5, 7, 12 and 13 under 35 U.S.C. §102(a, b and e), as being anticipated by, or in the alternative under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,849,827 issued to Bödiger et al.

Rejections under 35 U.S.C. §§102(b)/103(a) as anticipated or rendered unpatentable by Bödiger et al. '200

Claims 2, 3, 5, 7-9, 12 and 13 stand rejected under 35 U.S.C. §102(b), as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,849,827 issued to Bödiger et al. Applicants'

arguments with respect to the deficiencies of Bödiger et al. have been given above and will not be repeated here in the interests of conserving time. Bödiger et al. neither teach nor suggest the instantly claimed invention.

Therefore, Applicants respectfully request the Examiner reconsider and reverse his rejection of Claims 2, 3, 5, 7, 12 and 13 under 35 U.S.C. §102(b), as being anticipated by, or in the alternative under 35 U.S.C. §103(a) as being unpatentable over U.S. Pat. No. 5,849,827 issued to Bödiger et al.

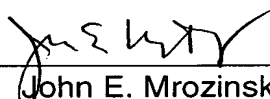
CONCLUSION

Applicants have amended Claims 5 and 7 and cancelled Claims 8 and 9. Such claim amendments add no new matter and find support in the specification.

Applicants submit that the instant application is in condition for allowance. Accordingly, reconsideration and a Notice of Allowance are respectfully requested for Claims 2, 3, 5, 7, 12 and 13. If the Examiner is of the opinion that the instant application is in condition for other than allowance, he is invited to contact the Applicants' Attorney at the telephone number listed below, so that additional changes to the claims may be discussed.

Respectfully submitted,

By



John E. Mrozinski, Jr.
Attorney for Applicant(s)
Reg. No. 46,179

Bayer MaterialScience LLC
100 Bayer Road
Pittsburgh, Pennsylvania 15205-9741
(412) 777-3024
FACSIMILE PHONE NUMBER:
(412) 777-3902

f:\shared\kpl\jem\MO6485.res